

Zoning Text Amendment No.: 18-13  
Concerning: Regional Shopping  
Center Overlay Zone –  
Standards  
Draft No. & Date: 1 – 11/16/18  
Introduced: December 11, 2018  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmember Riemer

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- revise the standard for the allowed height of certain free-standing uses in the Regional Shopping Center Overlay zone

By amending the following sections of the Montgomery County Zoning Ordinance,  
Chapter 59 of the Montgomery County Code:

Division 4.9.	“Overlay Zones”
Section 4.9.12.	“Regional Shopping Center (RSC) Overlay Zone”

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*

*Underlining indicates text that is added to existing law by the original text amendment.*

*[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.*

*Double underlining indicates text that is added to the text amendment by amendment.*

*[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.*

*\* \* \* indicates existing law unaffected by the text amendment.*

## *ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1. DIVISION 59-4.9 is amended as follows:**

**Division 4.9. Overlay Zones**

\* \* \*

**Section 4.9.12. Regional Shopping Center (RSC) Overlay Zone**

**A. Purpose**

The purpose of the RSC Overlay zone is to:

1. Provide flexibility of development standards to facilitate certain uses compatible with a regional shopping center.
2. Provide parking design standards and requirements compatible with the function and circulation needs of regional shopping centers.

\* \* \*

**C. Development Standards**

1. To accommodate development at a regional shopping center with a gross leasable area that is greater than or will be greater than (if approved by site plan) 1,200,000 square feet, building height may be increased to:
  - a. 90 feet for a building that includes a theater complex;
  - b. 150 feet for a Hotel, Motel; [and]
  - c. 150 feet for an apartment building or a multi-use building with residential use[.]; and
  - d. 90 feet for a free-standing building for any of the following uses or uses within the following use categories:
    - i. Retail Sales and Service;
    - ii. Structured Parking; or
    - ii. Health Clubs and Facilities.
2. Any portion of a building over 45 feet in height must be set back from an abutting property in an Agricultural, Rural Residential, or

28 Residential zone a minimum of 3 feet for each 1 foot of building  
29 height over 45 feet.

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31 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the  
32 date of Council adoption.

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34 This is a correct copy of Council action.

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37 Megan Davey Limarzi, Esq.

38 Clerk of the Council